IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 238(S/S) 2007

Prem Chand Saini S/o late Sri Ranjeet Singh,
Resident of D-225, Subhash Nagar Roorkee,
Tehsil Roorkee, District Haridwar. .....Petitioner.

Versus

1. State of Uttarakhand through Revenue Secretary, Dehradun,
2. District Magistrate, Haridwar,
3. Addl. District Magistrate, Haridwar. .....Respondents.

Sri M.S. Tyagi, learned counsel for the petitioner,
Sri N.P. Sah, learned Standing Counsel for State of Uttarakhand/respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri M.S. Tyagi, learned counsel for the petitioner, and Sri N.P.Sah, learned Standing Counsel for State of Uttarakhand/ respondents.

By means of this writ petition, the petitioners have prayed for the following reliefs:-

i. Issue a writ, order or direction in the nature of mandamus commanding the respondents to give the promotional pay scale of Rs. 6500-200-10500 to the petitioner from 03.01.2001,

ii. Issue a writ, order or direction in the nature of mandamus commanding the respondents to decide the representation filed by the petitioner dated 10.08.2005 (contained as annexure no. 1 to this writ petition) within a period of one month,

iii. Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case,

iv. Award the cost of the petition in favour of the petitioner.

Submission of the learned counsel for the petitioner is that he was appointed as Stenographer in the office of Sub Divisional Magistrate, Haridwar on 03.01.1977. The Govt. has issued an order dated 06.11.1985, to provide one increment to the employees who have completed 10 years' service satisfactorily. On 03.09.2001, another order was issued by the Govt. for providing personal promotional pay-scale to the employees who have completed 16 years' continuous service satisfactorily. Since the petitioner has already completed 24 years' service satisfactorily, he has yet not been provided the promotional pay-scale in pursuance of the Govt. Order dated 03.09.2001. In this respect, the petitioner has already moved a representation on 10.08.2005 before the respondent no. 2 that the petitioner is entitled for promotional pay-scale of Rs. 6500-200-10500 w.e.f. 03.01.2001. The said representation is still pending before the respondent no. 2 and he has not taken any decision on the same. The representation is annexed as annexure no. 1 to the writ petition.

During the course of arguments, learned counsel for the petitioner has submitted that the respondent no. 2 may be directed to take decision on the representation of the petitioner within the period prescribed by this Court.

The prayer is innocuous.

Accordingly, I direct the District Magistrate, Haridwar to take decision on the representation of the petitioner dated 10.08.2005, contained as annexure no. 1 to the writ petition, within a period of one month from the date of production of a certified copy of this order.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

March 22, 2007:
NCM: